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Florida Information sheet

1. **DOCUMENTARY STAMP TAX**. Documentary stamp tax is levied at the rate of $.70 per $100 (or portion thereof) on documents that transfer interest in Florida real property, such as deeds, mortgages, and notes. (The Miami-Dade County rate is $.60 on all documents plus $.45 surtax on documents transferring anything other than a single-family residence). A promissory note or other obligation to pay money that is executed, signed or delivered in Florida, is subject to documentary stamp tax at the rate of $.35 per $100 (or portion thereof) of the unconditional amount to be paid or repaid. The tax on such documents may not exceed $2,450. (§201.08(1)(a), Florida Statutes)

This tax is usually paid to the Clerk of Court when the document is recorded. The Clerks of Court send the money to the Department of Revenue and the Department distributes the funds according to law. If there is a mortgage securing the property along with a Note, the correct practice is to collect the proper Documentary Stamp Tax amount at the time of recording the Mortgage- not the note. Customarily, the similar language like the following should be included in said Note to avoid double taxation:

**DOCUMENTARY STAMPS IN THE AMOUNT DUE BY LAW WERE PAID AND AFFIXED TO THAT CERTAIN MORTGAGE OF EVEN DATE HEREWITH GIVEN TO SECURE THIS NOTE AND RECORDED IN THE PUBLIC RECORDS OF \_\_\_\_\_\_\_\_\_\_\_ COUNTY, FLORIDA.**

1. **INTANGIBLE TAX**. Intangible Tax of $.20 per $100.00 is required on obligations to pay money involving real estate. State Documentary Stamps and Intangible Tax are required on any Agreement for Deed or Contract for Deed. When there is both a mortgage and a note, the documentary stamp tax and nonrecurring intangible tax are due and payable upon recording of the mortgage.
2. **RECORDING CHARGES**. You may estimate recording charges at $10.00 for the first page, $8.50 for each page thereafter.